

REMARKS

By this amendment, the title has been amended. Claims 1, 9 and 10 have also been amended. Claims 1-11 remain in the application. Support for the amendments to the claim can be found the specification and drawings. No new matter has been added. This application has been carefully considered in connection with the Examiner's Action. Reconsideration, and allowance of the application, as amended, is respectfully requested.

Objection to the Title

The title of the invention was held to be not descriptive. In response, the title has been amended to be more clearly indicative of the invention to which the claims are directed. The objection is now believed overcome. Withdrawal of the objection to the title is respectfully requested.

Rejection under 35 U.S.C. §102

Claim 1 recites a luminaire comprising:

- a main reflector with a light emission window;
- a counter reflector positioned opposite to the main reflector;
- means for accommodating at least one electric lamp positioned in between the main reflector and the counter reflector,
- characterized in that the counter reflector is provided with a light-transmitting cover which is positioned at a side of the counter reflector facing away from the means for accommodating the at least one lamp, and which cover has a light-entry face exposed to the light emission window, and which cover has a light-exit surface at the side facing away from the means for accommodating the at least one lamp, wherein the cover further includes opaque diffuser bodies that are partly recessed in the cover at the side of the cover facing away from the means for accommodating the at least one lamp.

Support for the amendments to claim 1 can be found in the specification at least on page 3, lines 13-15; and on page 4, lines 7-18. In addition, support for the amendment to claim 10 can be found in the specification at least on page 4, lines 24-26.

Claims 1, 3, and 8-10 were rejected under 35 U.S.C. § 102(b) as being anticipated by Collins (4,755,916). With respect to claim 1, Applicant respectfully traverses this rejection for at least the following reasons.

The PTO provides in MPEP § 2131 that
"[t]o anticipate a claim, the reference must teach every element of the claim...."

Therefore, with respect to claim 1, to sustain this rejection the Collins reference must contain all of the above claimed elements of the respective claims. However, contrary to the examiner's position that all elements are disclosed in the Collins reference, the latter reference does not disclose "**opaque diffuser bodies** that are partly recessed in the cover at the side of the cover facing away from the means for accommodating the at least one lamp" as is claimed in claim 1. Therefore, the rejection is not supported by the Collins reference and should be withdrawn.

With respect to claims 3 and 8-10, the same depend from and further limit allowable independent claim 1 and therefore are allowable as well.

Accordingly, claims 1, 3 and 8-10 are allowable and an early formal notice thereof is requested. The 35 U.S.C. § 102(b) rejection thereof has now been overcome.

Rejection under 35 U.S.C. §103

Claims 4-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Collins. This rejection is traversed for at least the following reason. With respect to claims 4-6, the same depend from and further limit allowable independent claim 1 and therefore are allowable as well. Claims 4-6 are thus allowable and an early formal notice thereof is requested. The 35 U.S.C. § 103(a) rejection thereof has now been overcome.

Claims 2 and 7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Collins in view of Ramer (6,334,700). This rejection is traversed for at least the following reason. With respect to claim 2, it depends from and further limits allowable independent claim 1 and therefore is allowable as well. With respect to claim 7, it depends from and further limits allowable claim 4, which depends from allowable claim 1 and therefore is allowable as well. Claims 2 and 7 are thus allowable and an early formal notice thereof is requested. The 35 U.S.C. § 103(a) rejection thereof has now been overcome.

Claim 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Collins in view of Staiger et al (5,065,287). This rejection is traversed for at least the following reason. With respect to claim 11, it depends from and further limits allowable independent claim 1 and therefore are allowable as well. Claim 11 is thus allowable and an early formal notice thereof is requested. The 35 U.S.C. § 103(a) rejection thereof has now been overcome.

Conclusion

Except as indicated herein, the claims were not amended in order to address issues of patentability and Applicants respectfully reserve all rights they may have under the Doctrine of Equivalents. Applicants furthermore reserve their right to reintroduce

subject matter deleted herein at a later time during the prosecution of this application or a continuation application.

It is clear from all of the foregoing that independent claim 1 is in condition for allowance. Dependent claims 2-11 depend from and further limit allowable independent claim 1 and therefore are allowable as well.

The amendments herein are fully supported by the original specification and drawings; therefore, no new matter is introduced. An early formal notice of allowance of claims 1-11 is requested.

Respectfully submitted,



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Dated: June 2, 2007

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a-32658.149